

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

ROGER DODSON,	)	
	)	
v.	)	
	)	1:15-CV-287-HSM-CHS
THE HARRINGTON & KING	)	
PERFORATING CO., INC.,	)	
HARRINGTON & KING SOUTH,	)	
INC., and ANDREW LOVAAS	)	

**ORDER**

On February 17, 2106, the Clerk of Court entered a default against Defendant Andrew Lovaas because he had not responded to the complaint [Doc. 11]. Plaintiff Roger Dodson moved for default judgment on February 24, 2016 [Doc. 14]. The District Court referred this motion to the undersigned Magistrate Judge for a report and recommendation, and I ordered Plaintiff Dodson to submit findings of fact and conclusions of law. Plaintiff did so on May 26, 2016 [Doc. 19]. Making an appearance for the first time in this case, Defendant Andrew Lovaas, by counsel, has responded to the Plaintiff's findings of fact and conclusions of law [Doc. 25] and has suggested that process was never properly served on him. Mr. Lovaas asks that the motion seeking default judgment against him be denied and that he be allowed to file a responsive pleading to the complaint.

The undersigned will construe Defendant Lovaas' response as a request to file a motion to set aside the Clerk's default pursuant to Fed. R. Civ. P. 55(c). Accordingly, it is ORDERED that Defendant Andrew Lovaas shall have up to and including **Friday, July 1, 2016** in which to move to set aside the default entered against him in this action. In his motion, Defendant Lovaas shall fully set forth all bases he is asserting to set aside the default.

**IT IS SO ORDERED.**

s/ Christopher H. Steger  
CHRISTOPHER H. STEGER  
UNITED STATES MAGISTRATE JUDGE